or a pharmaceutically acceptable salt thereof (when R_3 is H), or an ester thereof, and or a stereoisomer thereof, and another therapeutic agent which is a hypolipidemic agent, and/or lipid modulating agent and/or antidiabetic agent and/or cardiovascular agent, cerebrovascular agent, and/or other type of therapeutic agent, which comprises administering to a mammalian species in need of treatment a therapeutically effective amount of such combinations.

Remarks

Claim 17 to 36 and 42 to 44 are present, which claims represent the non-elected claims of the parent of the subject application. The cancelled claims are covered in the parent of the present application.

Claims 17 and 42, each now an independent claim, have been amended to include the definition of the HMG CoA reductase inhibitor application as defined in Claim 1 as allowed in parent U.S. application Serial No. 10/008154.

It is believed that this application is in good form for examination.

Respectfully submitted,

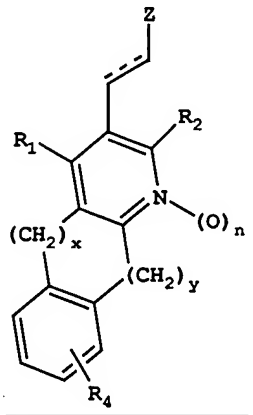
Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-4336

Burton Rodney
Attorney for Applicants
Reg. No. 22,076

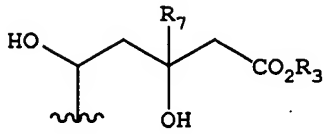
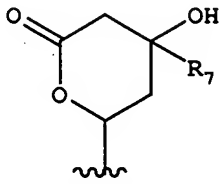
Date: June 24, 2003

MARKED-UP COPY TO SHOW CHANGES

17. (Amended) A pharmaceutical combination comprising the HMG CoA reductase inhibitor compound having the structure



wherein

Z is  or  also referred to as the δ-lactone;

n is 0 or 1;

x is 0, 1, 2, 3 or 4;

y is 0, 1, 2, 3 or 4, provided that at least one of x and y is other than o; and optionally one or more carbons of $(CH_2)_x$ and/or one or more carbons of $(CH_2)_y$ together with additional carbons form a 3 to 7 membered spirocyclic ring;

R_1 and R_2 are the same or different and are independently selected from alkyl, arylalkyl, cycloalkyl, alkenyl, cycloalkenyl, aryl, heteroaryl or cycloheteroalkyl;

R_3 is H or lower alkyl;

R_4 is halogen, CF_3, hydroxy, alkyl, alkoxy, carboxyl, carboxyalkyl-, aminoalkyl, amino, alkanoylamino, aroylamino, cyano, alkoxyCON(R_{10})-, $R_{11}R_{12}NCO_2$-, $R_{11}R_{12}NCO$-, $R_{13}SO_2N(R_{10})$-, $R_{11}R_{12}NSO_2N(R_{10})$-, $R_{13}OCO_2$- or $R_{13}OCO$;

R_{13} is alkyl, arylalkyl, cycloalkyl, alkenyl, cycloalkenyl, aryl, heteroaryl or cycloheteroalkyl;

R_{11} and R_{12}, and R_{10} are the same or different and are independently selected from H, alkyl, arylalkyl, cycloalkyl, alkenyl, cycloalkenyl, aryl, heteroaryl or cycloheteroalkyl;

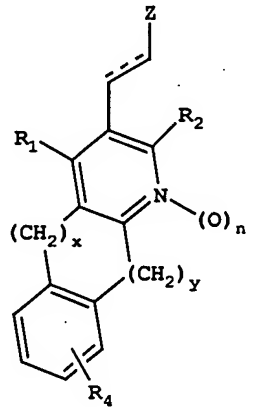
or R_{11} and R_{12} may be taken together with the nitrogen to which they are attached to form a stable 3 to 8 membered ring, which, where appicable, includes 1 to 3 heteroatoms in the ring.

R_7 is H or lower alkyl;

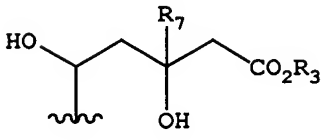
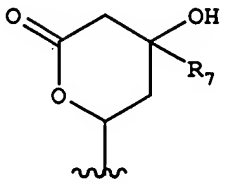
and ⚌ represents a single bond or a double bond (which may be cis or trans);

or a pharmaceutically acceptable salt thereof (when R_3 is H), or an ester thereof and or a stereoisomer thereof, [as defined in Claim 1] and another therapeutic agent which is one or more hypolipidemic agents or lipid-lowering agents, or lipid agents, or lipid modulating agents, and/or one or more other types of therapeutic agents including antidiabetic agents, anti-obesity agents, antihypertensive agents, platelet aggregation inhibitors, anti-dementia agents, anti-Alzheimer's agents, anti-osteoporosis agents, and/or hormone replacement therapeutic agents, and/or other cardiovascular agents (including anti-anginal agents, anti-arrhythmic agents, anti-atherosclerosis agents, anti-inflammatory agents, anti-arthritis agents, anti-platelet agents, anti-heart failure agents), anti-cancer agents, anti-infective agents, hormone replacement agents, growth hormone secretagogues, selective androgen receptor modulators, and/or immunomodulatory agents.

42. (Amended) A method for treating cholesterol related diseases, diabetes and related diseases, cardiovascular diseases, cerebrovascular diseases, which comprises administering to a mammalian species in need of treatment a therapeutically effective amount of a combination of a compound having the structure



wherein

Z is  or  also referred to as the δ-lactone;

n is 0 or 1;

x is 0, 1, 2, 3 or 4;

y is 0, 1, 2, 3 or 4, provided that at least one of x and y is other than o; and optionally one or more carbons of $(CH_2)_x$ and/or one or more carbons of $(CH_2)_y$ together with additional carbons form a 3 to 7 membered spirocyclic ring;

R_1 and R_2 are the same or different and are independently selected from alkyl, arylalkyl, cycloalkyl, alkenyl, cycloalkenyl, aryl, heteroaryl or cycloheteroalkyl;

R_3 is H or lower alkyl;

R_4 is halogen, CF_3, hydroxy, alkyl, alkoxy, carboxyl, carboxyalkyl-, aminoalkyl, amino, alkanoylamino, aroylamino, cyano, alkoxyCON(R_{10})-, $R_{11}R_{12}NCO_2$-, $R_{11}R_{12}NCO$-, $R_{13}SO_2N(R_{10})$-, $R_{11}R_{12}NSO_2N(R_{10})$-, $R_{13}OCO_2$- or $R_{13}OCO$;

R_{13} is alkyl, arylalkyl, cycloalkyl, alkenyl, cycloalkenyl, aryl, heteroaryl or cycloheteroalkyl;

R_{11} and R_{12}, and R_{10} are the same or different and are independently selected from H, alkyl, arylalkyl, cycloalkyl, alkenyl, cycloalkenyl, aryl, heteroaryl or cycloheteroalkyl;

R_7 is H or lower alkyl;

and  represents a single bond or a double bond (which may be cis or trans);

or a pharmaceutically acceptable salt thereof (when R_3 is H), or an ester thereof, and or a stereoisomer thereof, [as defined in Claim 1] and another therapeutic agent which is a hypolipidemic agent, and/or lipid modulating agent and/or antidiabetic agent and/or cardiovascular agent, cerebrovascular agent, and/or other type of therapeutic agent, which comprises administering to a mammalian species in need of treatment a therapeutically effective amount of such combinations.